


FILED

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JUL 22 2016

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTYPlaintiff: Ricardo Enriquez Sanchez
v.

Defendant: Wm. STEPHENS Dir.

Before The LAWSUITORDER TO SHOW CAUSE FOR
AN PRELIMINARY INJUNCTION
&A TEMPORARY RESTRAINING
ORDERCIVIL ACTION No. W16CA296

THE HONORABLE JUDGE PRECIDE.

CAME NOW RICARDO ENRIQUEZ SANCHEZ PLAINTIFF, STAR A LAWSUIT
IN US DISTRICT COURT, WESTERN DISTRICT OF TEXAS, WACO TX DIVISION
Federal Court, to fight against mistreatment and bad condition
in Prison. "TDCJ."

1. JURISDICTION & VENUE

1. THIS IS A CIVIL ACTION AUTHORIZED BY 42 U.S.C SECTION 1983
TO REDRESS THE DEPRIVATION, UNDER COLOR OF STATE LAW, OF
RIGHTS SECURED BY THE CONSTITUTION OF THE UNITED STATES.

THE COURT HAS JURISDICTION UNDER 28 USC SECTION 2201
AND 2202 PLAINTIFF, RICARDO ENRIQUEZ SANCHEZ CLAIM FOR
INJUNCTIVE Relief ARE AUTHORIZED BY 28 U.S.C. SECTION 2283
& 2284 AND RULES 65 OF THE FEDERAL RULES OF CIVIL
PROCEDURE.

&

2. PLAINTIFF RICARDO ENRIQUEZ SANCHEZ CLAIM FOR RELIEF,
FOR COMPENSATORY DAMAGE FOR PHYSICAL OR OTHER HARM
OR CLAIM FOR NOMINAL OR PUNITIVE DAMAGES; FOR ANY
KIND OF HARM.

I

UPON THE COMPLAINT, THE SUPPORTING AFFIDAVITS OF (or)
PLAINTIFFS. AND MEMORANDUM OF LAW SUBMITTED HEREWITH, IT IS:

DEFENDANTS

- 1) ORDERED that defendants William (B.II) STEPHENS Director, of Correctional Institution Division Address: P.O. Box 99 Huntsville TX 77342 He is legally Responsible for the Operation of Texas Department Criminal Justice he is currently operate in The Address above entitle: Correctional Institution Division
- 2) Defendants Jones Senior Guardan of Huntsville Unit, STATE Texas Department of Criminal Justice TDCJ he is legally Responsible for the Operation of Huntsville Prison and for the welfare of all the inmates of that Prison 815 12th St Huntsville TX 77346
- 3) Defendants Supervisor staff Officer Mr Pittman He is legally Responsible for the Operation of Texas Department Manufacturing Textile factory 2nd ST. 3:00 pm to 10:00 pm, and Responsible for the Security and Work wise Second Shift Operators inmates.
- 4) Defendants How Resul Responsible, Each defendant engage in facts is sued individually and in his official capacity and Employed- medical practice At all time mentioned in this Complaint each defendant acted under the Color of State Law

Defendants against who you are seeking a preliminary injunction show cause to be Proces in Room 380 of the United States Courthouse on the ____ day of ____ 2016 at ____ o'clock, why a preliminary injunction

5) PLAINTIFFS

Ricardo Enriquez Sanchez is and was at all time mentioned herein a Prisoner of the State of Tjester III Unit 3-8 #01745089 3 JESTER RD RICHMOND, TX 77406 he is Temporarily Confined in This Medical unit To Reevaluation and Obtain Physical therapy for Rehabilitation

- 6) Plaintiffs came to the Honorable Court to Request help from the Court long before that A US Distric Court Judge has the power to order prision officials or personal staff member, Medical Department Employer Doctor and medical Practice to stop and Doing This:

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IT IS FURTHER ORDERED THAT EFFECTIVE IMMEDIATELY AND PENDING THE HEARING and determination of this order to show cause the defendants [Names of defendants against whom you want Temporary Relief] and each of their Officers agents, employers, and all persons acting in Concert or Participation with them are restrained from [State the actions you want the action you want the TRD To cover

- (1) An Injunction: Request Plaintiff and order issued by a Court that tells the defendants to do Respond all STEP 1 was is pendent in ^(b) Hospital, ^(c) Huntsville Unit, ^(d) Beto 1 unit, and ^(e) Jester 3 unit, ^(f) state unit
- (2) Order issued by a Court that tells the Defendants Provide all Medical Records Request from the any Hospital or Clinic Regarding injury harm, fracture from the Accident on Friday 1st of April the 2016 include any X-Ray Report or EScan. or Physical Reports. and date of Physical Therapy Reports. Any Report.
- (3) Order issued by a Court that Defendants Stop doing inadequate medical care or Denied any help available or matter to Eliminate future pain or dangerous Matter for my Relief
- (4) Order issued by a Court that Defendants Stop doing unsafe or extremely harsh Condition To litigation Plaintiff Because They Denied in violation of any of my Rights.

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Actual or imminent injury I have to show the Court came from ⁽¹⁾ inadequate medical care, ⁽²⁾ Denied or Limit my access to the Court ⁽³⁾ Overcrowded, unsafe, or extremely harsh conditions

In order to structure and stabilize the lawsuit in proper matter and comply with the exhaustion and insertions requirements and give me the opportunity to complete my Prison's Grievance System before filing a lawsuit.

But according to the circumstances presented I am consider I have an emergency situation and I don't know if I have time or not because I have two ⁽²⁾ fractures and the medical conditions in this unit is in question of law: inadequate medical care and continuous violation of the prisoners rights. They are indifferent to attend medical request.

In the other hand during the condition of transfer I was unavailable to access to the court or my court records or attend to the law library to respond to the court my appeal for cause 2008-1925-C1 and 2008-1926-C2.

Also now I suffered an actual physical injury I have pain in my back, my leg, my heel, and my left hand, may be available to relief in compensatory damage.

Also may be the point of punitive damage came after accident I was received a disciplinary cause minor and deliberate indifference actual is patent I need physical therapy for my left hand and medical boots and in this unit denied now the eighth amendment that protect the right to medical care. The constitution guarantees and state statute relating to medical care and treatment in prison.

After first surgery or operation in my Leg from April 3 or 4. When the Officer from State unit intent to put me in the ambulance they put me in the floor and pull up and I suffered some harm or injury Remove the fracter in the floor of the Ambulance as Result of the prison official's deliberate indifference provoke a second (2nd) operation in my Leg. and I was in Rehabilitation

Wherefore: Plaintiff Pray the Court Permit Prisoner to access and use the Court System in Good faith, based on the First Fifth and Fourteenth Amendments to the Constitution

IT IS FURTHER ORDERED

That the Order to show cause, and all other papers attached to this application be served on the aforesaid Plaintiff be date

Date _____

UNITED STATES District Judge

IN THE UNITED STATE
DISTRICT COURT
WESTERN DIVISION
WACO TX.

Affidavit.

7-18-2016

Came now Ricardo Enriquez Sanchez to present a written statement of fact from my Accident cause in insure in the Testile factory, in Houtsville unit 815 12TH ST. Houtsville TX. 77340 on Friday 17th April, 2016. Approximate Time 6:45-7:00 PM.

SWEARS.

I DECLARE THAT THE FOREGOIN STATEMENT IS TRUE UNDER PENALTY OF PERJURY FILE ON 7-18-2016 AT 7:00 PM IN THE CORRECTIONAL PRISON, TEXAS DEPARTMENT CRIMINAL JUSTICE JESTER III UNIT. 3 JESTER Road Richmond TX. 77406.

STATEMENT.

Came now Plaintiff Mr. Ricardo Enriquez Sanchez Legal Alian in The Unite State of America was Board in Mexico City on October 11 1968 actual, 52 Yers old, DL. 06221813 SS. 628-98-7232

1). Plaintiff Mr. Ricardo Enriquez Sanchez was arrested in violation of the Constitutional Bill of Rights of Warranty. On August 08th, 2008 Ricardo Enriquez Sanchez (call 911) to Request the Assistance of The Waco Police Department to attend a serious unexpected situation was occurrence in the own Apartment 340-0, Richlan Dr. Apts Land mark, Waco TX 76710 that demands immediate action, because a sospheous man intent came in (in the apartment) over Night, But the Waco police violate Fourth Amendment, They arrest Plaintiff in side of the apartment without justification. was Result in suffer irreparable harm.

2). So on August 8th, 2008 I was arrested in McLennan, Co. and detained in the County Jail it was then in 2008 I first began experiencing pain in my left heel.

- 3). We must wear Sandles in the County and for my erhice (3) year stay I suffered a great amount of pain in my left heel.
- 4). Eventhough I Request time and time again, I was never taken to the infirmary and only recived Non-aspirins from the guards.
- 5). Finally on November 2011 I was sent to TDCJ and Placed On the Gurny Trasfer Facility. Upon telling the Nurse on Gurny of the pain in my left heel, Se told me, not you worry because I would receive some new boots:
- 6). I Received The Regular TDCJ BOOTS, but the pain continued Around March or April 2012.
- 7). I was Transferred to Byrd Unit and there I told therein The nurse of the same medical problem, but I was Unfortunately ignored.
- 8). After staying approximate 15-25 Days on Byrd Unit I was trasferred to Hartman Unit There I told the Doctor that I experienced paint in my left heel and the Doctor Prescribed ibuprophen and Naxprozen. The pain in my heel continuate
- 9). I was work in the Garmen factory of that unit "Hartman" and I Told with my Supervisor about of my pain in my heel and I work in the sew maching and Reduce to Wokins. The pain got a little better, but not much, I still had pain.
- 10). In February of 2014 I was trasferred to Huntsville Unit and The Doctor from that unit send me to State unit to check my heel and the provider in the State unit gave me insoles for my boots and Medical pass for one yer To Replace a new Insoles to be Ridy on 2015 but They (New Medical provide) don't send me to the State unit
- 11). I estill with pain and the Doctor in Huntsville also Give me an injection in my heel The firs injection in my left heel and store a hitebe paint in the Right heel but is more problem in the Left side he put steroid injection which had me doing well for about 2014-2015 a year.

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- 12). On May 2015 The Pain in my heel started to Return I was send to the infirmary Numerous time multiples Request attention for this matter and other medical problems but I didn't get any medical care or appropriate attention for my heel in time. to prevent any Criticism or Harm.
- 13). After the reviewing my X-ray and Review the Records During 2016 and multiples Request and Aggravance step.1 The Administration Building Chain me off Job to the Textil factory and I was Recieved an official Layin Pass to attend an appoitmen in the infirmary
- 14). On April 1st 2016 (6:45 AM) I was in the infirmary The Doctor or The medical provider: "She" at the Huntville unit Gene me another Steroid injection,
- 15). Afterward, I Requested a (1) one day medical Pass So I could rest, but was denied the Med. Provider Told me the Pain will be gone within a few hours - But The Pain simple did Not go away
- 16). During 10:15 AM to 6:45 pm the pain still, I returned to work or Store to work when call me 3:00 pm The pain & discomfort in my foot was so excruciating That 3:15 pm I Reported to my Supervisor that I was unable to stand well especially over a period more than a few minuts.
- 17). The Supervisor Mr. Pittman told me that I must Only Clean the Ceiling pipes an ducts from the Coton Rowing also the Machines
- 18). He Give me an Aluminum latter to climb while using a blower to blow the dust from the ceiling pipes.
- 19). Although, I told the Officer I was in pain and in no Condition to be doing this tipe of work he ignored me and forced me to do so by direct Order

- 20). I was obey the Order because if not he can give me A diciplinary Cause or they Can have the Power to Put us in Reogresation. I was fike intimidate I began and had done extensive Work Cleaning the 3 machings remove barnels with matterial and Cleaning pipes and on top of machines for a long Period of Time.
- 21). When I stepped with my left leg and couldn't feel a thing, m leg hed become Numb and Cramped up. As a result I slipped down ~~I~~ attempting to grab pipes to no fall, Guail - and fell to the ground Then I came when I was on the ground and they took my old insotes my tennis shoes, my clock watch and they intent to stretch my leg but I can't do also they took my Setty Glasses, my head cap.
- 22). They made pitchers "photos." They Give me 6 unit of morline and Then I was Taken to (Huntsville Hospital) and They give me more drog and put a catet and saw the brass in my heel and my hand fractur and my leg fracter and still way for Hrs and They Can't attend me my emergency in instance because I need a two operation one for my leg and other for my hand.
- 23). They Don't Put me in The Hospital Close to Huntsville They put me ut of the Perimeter of Huntsville Tx. Or Boston Tx. They sent me in the Ambulance to Colestertion Close to Dallas Tx. 2 Hrs Draving. In the Ambulance with Pain, (Hospital St. Joseph.)
- 24). They Give me more drog I was esliping and I don't kenow what happen but I feel True The time pass Hrs. Bifore attention my fractur, to fixy I fike strag I fill bad because I don't kenow what happen to me, I was not Redy When they put me out to the Hospital to move me to the Informery of Beto unit, Close to Waco Tx.

- 25). After Officials of TDCJ Remove me from the St. Joseph Hospital and I arrived to the Beto 1 Infirmary The personal of the Infirmary move me multiple time of cell. (cell 13, cell 16, cell 7 and cell 21. They don't help me to tack a Chawer, the Clinic Condition is poor and Dirty. I was need a pop. sher to use the restroom or toilet They don't have or They don't want provide I was fill a Agrivance steps Against the Infirmary Staff.
- 26). The access to Attend to the Law Library is Limitate or unavailale for a inmates was still in the infirmary I have to made an other Agrivance and I send I letter to the administration building to Request help because they don't have sufficient 1-60 forms or Agrivance form the access to Recreation is poor and Condition, 2hrs daily in one live cell was They Use for Recreation for 50 or more inmates in the same time. That is true.
- 27). The TDCJ. send me after operation to the Galveston Hospital, but whe here trasfer in the state unit Close to Huntsville unit, so The Officers force me to Go in to the Ambulance They put me in the floor of the Ambulance and pull me in and Horam and Soldier mesesary Pain. I made an Agrivance Step 1
- 28). The staff Personal in the Administration Buildings in the Beto 1 unit Give a Dispositionary Case (menor cause) about of The Accident was Result in injury was Violate Police Procedure and Right of Plaintiff. Ricardo Enriquez Sanchez. I made an Agrivance Step 1
- 29). On May 24 The Ortopedic in the Hospital Galveston made 2^o second operation in my leg, cause probable from the facts before I say "No(27)". The access to Court is Limit and they provide not the access to the law Library in the Hospital or they don't have. I have legal letters to Respond to the Court and I can't do because they Confiscate my property and lose in time I was fill Agrivance Step 1 and 1-60 form.

- 30). Now I am in Jester II unit I arrived from Beto I unit on June and the Doctor no want help me he are despot in my Medical Problems. also The physical therapy Supervisor Denied help me, with thing can help me in my Reavilitation. Exemple I Was Request for medical boots or medical shoes because I need
- 31). I was in Beto I unit infirmary and the Hospital with not shoes or boots from April 1st 2016. Accident date. one day before transferred me to this unit Jester III The physical therapy from the infirmary Beto I provide a State TBCI. Tennis. Shoes. still in pain my heel.
- 32) I made two agrivance forms step 1 to the Doctor in this unit because he don't want help me in instance I need attention.

Submitted to the Honorable Court.

Plaintiff: Ricardo Enriquez Sanchez Pl ~~Att~~ M.C.
Signed on 7-18-2016

Certificate of Service

I declare under penalty of perjury that
The foregoing is true and correct statement
Serving to the United State District Court Western
District of Texas. U.S District Clerk's Office
800 Franklin Avenue Waco Texas 76701 on 7-19-16

Respectfully Submitted

Pl ~~Att~~ M.C.
Ricardo Enriquez Sanchez
procede in pro se & IFP.
TBCI # 1745089
Jester II unit. 3 Jester Rd.
Richmond, TX. 77406

ME. Ricardo Enriquez Sanchez
1745089
JESTER III Unit 3-8
3 JESTER Rd.
Richmond TX. 77406

Legal mail:

US District Clerk's Office
To: THE UNITED STATES COURT
WESTERN DISTRICT OF TEXAS
800 Franklin Avenue Waco TX 76701

76701-193480

